

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JASON M. JONES,
#70541

Plaintiff,

vs.

DOROTHY NASH HOLMES, *et al.*,
Defendants.

3:11-cv-00047-LRH-RAM

ORDER

This is a prisoner action brought pursuant to 42 U.S.C. § 1983. On April 6, 2011, this court dismissed this action for failure to state a claim for which relief may be granted (docket #3), and judgment was entered on April 7, 2011 (docket #7). Plaintiff filed a notice of appeal on June 22, 2011 (docket #8).

On June 24, 2011, the Ninth Circuit Court of Appeals referred this matter to this court for the limited purpose of determining whether *in forma pauperis* status should continue for the appeal or whether the appeal is frivolous or taken in bad faith (*see* USCA No.: 11-16556). This court has determined that an *in forma pauperis* appeal from its Order would not be frivolous or taken in bad faith. 28 U.S.C. § 1915(a)(3).

IT IS THEREFORE ORDERED that any *in forma pauperis* appeal from its Order dated April 6, 2011 would not be frivolous or taken in bad faith. 28 U.S.C. § 1915(a)(3).

DATED this 30th day of June, 2011.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE